



# MIC3...NEWS, VIEWS AND TRANSITIONS

Newsletter for the Interstate Commission on Educational Opportunity for Military Children

## MIC3 Observes Anniversary of 9/11

Mark D. Needham, MIC3 Chairman, and the Military Interstate Children's Compact Commission recognize and observe 10<sup>th</sup> anniversary of September 11th.

It is hard to believe that the 10<sup>th</sup> anniversary of the September 11th attacks on the World Trade Center, the Pentagon and Flight 93 has arrived. That day and those who perished as victims and heroes live on in our memories as if it just happened yesterday. Our hearts remain with all of those who suffered such enduring losses.

This event catapulted a new generation into roles they could not have been foreseen just a few months earlier. Men and women took on new roles in service to their country and in defense of liberty. In the past ten years, many more have enlisted bringing with them new families and a promise of a better tomorrow free from fear.

The children of these military families are our nation's children. Care of military children sustains our fighting force and strengthens the health, security and safety of our nation's families and communities. It is important to emphasize and recognize the role that military children play while a parent or important adult is serving. The Military Interstate Children's Compact Commission remains committed to resolving the educational transitional issues that are faced by these children and their families.

Military families move between postings on a regular basis, and while reassignments can often be a boon for career personnel, they can be difficult for the children of military families. The average military student faces transition challenges more than twice during high school and most military children will attend six to nine different school systems in their lives from kindergarten to 12th grade. The Compact therefore seeks to make transition easier for the children of military families so that they are afforded the same opportunities for educational success as other children and are not penalized or delayed in achieving their educational goals.

As part of the Compact, the Interstate Commission on Educational Opportunity for Military Children was established (also referred to as the Military Interstate Children's Compact Commission or MIC3). Thirty-nine states have adopted the Compact and placed it in statute. The Department of Defense continues to work with the Commission, Council of State Governments, national organizations, and state leaders to bring the remaining states on board. Member states are forming their State Councils and inform school districts of the terms of the Compact.

Please take time to remember all those we lost and those who sacrifice in service to our country and freedom from fear. Recognize the service of our military servicemen and women, their families and their children.



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## Interstate Compact Now Adopted in 39 States

The Military Interstate Children's Compact Commission had a successful close to the 2011 legislative calendar with the addition of three states. This brings the total number of states having adopted the Interstate Compact to 39.

With the signing of Legislative Bills 575 and 575A by Governor Dave Heineman, Nebraska joined the Military Interstate Children's Compact Commission. Nebraska became the 37<sup>th</sup> state to enact the Compact. While Nebraska has adopted the Compact, it will not go into full effect until July 2012.

With the signing of House Bill 1248 by Governor Jack Dalrymple, North Dakota joined the Military Interstate Children's Compact Commission. North Dakota became the 38<sup>th</sup> state to enact the Compact since 2008. The Compact was signed into law on May 17, 2011.

With the signing of House Bill 38 by Governor Peter Shumlin, Vermont joined the Military Interstate Children's Compact Commission. Vermont became the 39<sup>th</sup> state to enact the Compact since 2008. The Compact was to be signed into law at Camp Johnson in Colchester, Vermont on May 24, 2011.

WELCOME TO NEBRASKA, NORTH DAKOTA AND VERMONT!!!!



## MESSAGE FROM THE EXECUTIVE DIRECTOR

***BG(Ret.) Norman E. Arflack, Executive Director***

The Commission on Educational Opportunities for Military Children continues to explore new avenues to offer assistance to the Nation's military families and specifically the military children. Our organization continues to grow. We currently have 39 member states. We are working diligently with our DoD partners to encourage the remaining states and territories to enact the necessary legislation mandating their membership.

Since publishing the inaugural edition of our newsletter, we have been very busy educating our members and the leadership in the respective states about how we can better assist them in the furtherance of our very important mission. Following the election of 29 new governors, we experienced some transition in commissioners and state council members. Many new governors have been very proactive in the appointment of the leadership in their states as mandated by the enacted legislation. We are excited about the opportunity to work with all our member states to insure smooth transition of our military dependent children as they move from state to state.

The staff and Executive Committee have been very busy planning and preparing for our National Conference which will be held November 13-15 in Louisville, Kentucky. It is our intention to provide a meeting that will be interesting and informative while allowing attendees to explore the many interesting sites available to them in the city of Louisville and the Bluegrass State! I solicit your input as to how we can improve on last year's conference. As our organization grows the conference must evolve into an event that provides our members the information necessary to manage a successful organization within their respective states.

I encourage each of you to attend the conference so that you will have the opportunity to express opinions relative to the operation of the Commission. Registration information is readily available on our website at [www.mic3.net](http://www.mic3.net). I look forward to seeing all of you in Louisville!

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## 2011 MIC3 ANNUAL MEETING

***Richard Pryor, Administrative Assistant***

As always, time has a way of creeping up on us. The old cliché "I don't know where the time has gone," is very apt. For the staff at the National Office, this will be our second annual conference. We will see a slight change this year as we introduce a new commissioner orientation for those newly appointed commissioners. The orientation will be given on the Sunday afternoon prior to the reception. The commission meeting will likely have some lively discussion on a number of proposed rules changes that will be raised.

The registration forms were sent out recently and we have already started receiving them back. Thank you to those who have been so prompt. We ask everyone to add any subject areas that they feel should be included and discussed during the breakout sessions, please annotate them in the space provided at the end of the form.

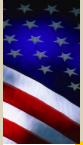
This year as you know the meeting will be held in the vibrant city of Louisville, Kentucky. Louisville is home to the famed Louisville Slugger Baseball Bat, used by a majority of major league baseball players and which you can see being made. It is also the home to the museum of one of the greatest boxers in history, Muhammad Ali. And lest we forget, it is also home to the world famous Kentucky Derby and the twin spires of Churchill Downs. This is just a sample of what Louisville has to offer. When we are not engaged in business, as they say, all work and no play.....you know the rest!

Please note that there will be a training session for all new commissioners on Sunday, November 13. Please make your travel arrangements accordingly, so you can attend.

If you need more information on the meeting, please visit the website at [www.mic3.net](http://www.mic3.net) or call the office and we will be happy to assist you.

See you in November!





## THE LEGAL BRIEF *By Rick Masters, General Counsel*

### Passage of MIC 3 in the Remaining Non-Member States – Why it Matters

It has been my privilege as one of the primary drafters of the MIC 3 Compact and now as General Counsel to the Compact Commission to be engaged in continuing educational and technical assistance to state legislators, policy makers, education officials and others and to see the phenomenal growth of the compact to include 78% of the States of the United States with legislative activity anticipated in many of the remaining Non-member states and territories.



As legislators and policy makers consider this important legislation two of the most frequently raised questions can be restated as follows:

1. *"We consider our state a 'transfer friendly state and we already do most/all of the things covered by the Compact. We make every effort, every reasonable effort, to accommodate military families. In areas where there are many students from military families, the schools know how to help them. Why do we need the Compact?"*
2. *"Doesn't the Compact usurp state authority for an Interstate Compact and create an expensive bureaucratic structure. Doesn't it take authority from local school boards and school administrators and divest it in a multi state compact?"*

In response to these questions consideration of the following issues is essential to an understanding of this important public policy mechanism:

### Absent Compact Legislation There Is No Meaningful Uniformity

Notwithstanding each State's laudable efforts to accommodate children of military families who transfer into its public schools, without the compact, those accommodations end at the state border and the State has no means of imposing its requirements for accommodation on school districts in another state to which children of military families are transferred once they leave the State. Additionally, under the compact '*sending states*' will be operating under uniform guidelines and there will be fewer transferring children who must be handled in a 'case-by-case' manner, thus saving time, money and duplicative efforts.

Without the Compact, schools have to rely on an ad hoc process to assist students through the transfer process without any assurance the other state school system will send the required records or take other actions to accommodate the transferring students. With the



Compact in place, this would not have to happen. The agreed upon actions (e.g., records transfer, placement, enrollment etc.) should happen in a timely manner; and with uniform standards in place, decisions will be rendered with more consistent outcomes over time and your State will be better able to protect the significant investment (time & money) it currently makes in the education of military children by ensuring that receiving states treat these children with the same consideration as does your own.

Moreover, schools that support large military facilities are accustomed to meeting the needs of the military family community (though still need coordination with other states and districts for smooth and uniform transitions). However, there are many more schools in the state which do not have large numbers of military children and are therefore not accustomed to the unique needs and circumstances of military families.

The intent of the Interstate Compact is to provide consistent standards so a student from a military family can be assured of a smooth transition regardless of where the school is located.

### As an Interstate Compact, MIC 3, Protects State Sovereignty

While 'state sovereignty' concerns are sometimes raised as an objection to an interstate compact, in reality a compact usually serves to promote state sovereignty in that interstate compacts, unlike pre-emptive congressional legislation or regulations, allow states to continue to exercise authority over interstate issues without the need for federal intervention or pre-emption. When examined from that perspective, by enacting an interstate compact the State is only giving up the right to act "unilaterally" with regard to an interstate problem which cannot be resolved without a uniform solution agreed to by all the states involved. In this case, with this compact, no state can assure that the educational needs of children of military members will be met by another state to which they are transferred without an enforceable, uniform standard which under our federal Constitution can only be established through either congressional action (See U.S. Constitution, Article I, Section 8) or an interstate compact (See U.S. Constitution, Article I, Section 10, Clause 3).

**Continued on Page 6 (LEGAL)**





## MIC3 ACROSS THE NATION: (HAWAII)

*By BG(Ret) Kathleen Berg, Hawaii MIC3 Commissioner*

Hawaii was the 14th state to join the Interstate Compact on Educational Opportunity for Military Children when it passed legislation in June 2009. Immediately after passage, the Hawaii Department of Education (HIDOE) began implementation by initiating appointment of the commissioner. By Hawaii's law, the state superintendent of education recommends, with the approval of the board of education, the compact commissioner, who is responsible for administration and management of the state's participation in the compact. The state council for the compact is established within the board of education for administrative purposes, with the result that Hawaii has built-in infrastructure to support the commissioner and the state council within the HIDOE—in the office of the HIDOE military liaison. This full-time position was established several years ago to facilitate interaction and cooperation with the military community.

The HIDOE military liaison serves as a point of contact in the department for military personnel and family members for questions and concerns related to public schools. This is one of the positions designated in law as part of the membership of Hawaii's state council. The council is a cooperative partnership composed of 17 representatives including the governor, legislators, education officers, and military liaisons. While other states have identified one military liaison, Hawaii has included on the council uniformed military representatives of the Army, Air Force, Navy, Marines, Coast Guard, and the United States Pacific Command.

Military dependents in Hawaii public schools number about 15,000 and make up about 8% of the total public school population, with significant impact on about 50 of the state's 255-plus regular public schools. HIDOE is organized as a single district, the nation's 11th largest, composed of 42 complexes (a high school and its feeder schools) located on all six of the major Hawaiian islands. It is further organized into 15 complex areas, which are largely geographical administrative subdivisions of the HIDOE. Five complex areas are considered "military impacted," all located on the island of Oahu. The state council includes the complex area superintendents of all five of these military impacted complex areas.

The council was very productive in its first year of operation; accomplishments included the following.

Establishment of an appeal process parents can use for redress of decisions at the school level they feel violate compact rules

Selection of a military family education liaison to assist military families and the state in facilitating implementation of the compact

Examination of placement issues in high school involving algebra and state history courses when similar or prerequisite courses are taken in middle school

Clarification of requirements for the Board of Education Diploma in terms of course substitution

Exploration of rules and requirements in athletics in the public schools through an ad hoc committee of both civilian and military members

Thorough examination of Hawaii's compact law and suggested changes for its reauthorization

Hawaii also launched an ambitious communications program of briefings, forums, and training sessions conducted by the state commissioner and the military family education liaison. Briefings were given to the Board of Education, as well as to HIDOE leadership and military leadership groups. Forums were held with the military services' school liaison officers (SLOs) and the Military Impacted Principals Council. Training was conducted for all principals on Oahu and on two of the neighbor islands, and training for school registrars was begun. The HIDOE website for military families (<http://militaryfamily.k12.hi.us>) includes information about the compact and even a video of the US Army TV Town Hall featuring a briefing on the compact and comments from Major General Terry of the US Army Pacific.

One of the SLOs in Hawaii observed that while good news about the compact is spreading throughout the military community, there are many misconceptions. In his work with school registrars he has found they, too, encounter parent misperceptions and are grateful for their orientation on the rules. According to Hawaii's military family education liaison, "When the SLOs, registrars, and principals are well versed on what is covered by the compact, it greatly reduces parent frustrations." He suggests that having a copy of the compact at the registrar's office helps for quick reference when there are questions about what is covered.

## Hawaii: Recent Events and Happenings

On June 3rd, Governor Abercrombie signed into law House Bill 4, making the Interstate Compact on Educational Opportunities for Military Children permanent in the State of Hawaii. Hawaii, a member since 2009, reaffirmed with the signing of this bill their commitment to our military families and their children.

The Commission sends their thanks and compliments to the primary sponsors, Representative Mark Takai and Senator Jill Tokuda, for their leadership on this important legislation. The Commission also expresses their gratitude to Hawaii MIC3 Commissioner Kathy Berg, State Council Member Cherise Imai, and Representative Roy Takumi for their leadership, devotion, and commitment. Hawaii, with its very large military contingent, is leading the way in its support for our military and the education of their children.





## Just to be Clear – Kids Need to BE HERE!

### *DoD Emphasizes the Importance of School Attendance*

By Kirsten Webb, Outreach Specialist

Research has proven that there is a high correlation between school attendance and academic performance and success, while absence from school is often the greatest single cause of poor performance and achievement. School attendance issues have been identified as a serious issue for children throughout the United States and military children are no exception. Specific attendance concerns include increased chronic absenteeism and tardiness and excessive early dismissals. While not an issue of formal attendance, but “time in school,” there is also great concern over the number of days military children are missing school during Permanent Change of Station (PCS) moves. These are not issues that public school superintendents can solve on their own. Studies suggest that the most successful efforts to increase daily student attendance included engaging the families and communities. To increase attendance among military children, the Department of Defense Education Activity (DoDEA) has developed a comprehensive, multifaceted and integrated informational campaign called, “*BE HERE*” to highlight the importance of school attendance.



The slogan “*BE HERE*,” represents a multi-pronged, informational campaign that will leverage DoD leadership to communicate the important message that for students to learn and ultimately be successful, they need to “*BE HERE*.” Over the past several years, organizations such as the Bureau of Educational Research have provided data leading to some staggering conclusions that may help families understand the possible consequences of absenteeism. These data suggest that increased absences in kindergarten are associated with lower academic performance in 1st grade. By 6th grade above average absence is a clear predictor of drop-out. By 9th grade, missing 20 percent of the school year is a better predictor of dropping out than test scores.



The “*BE HERE*” campaign will be launched this school year to inform parents and to raise awareness that attendance is critical to student success. Key messages will focus on the premise that Attendance is Critical to School Success!

School exposes children to language-rich environments they may not have at home. It also helps children learn vital socialization skills.

Learning is a progressive activity; each day’s lessons build upon those of the previous days.

Students who miss too much school fall behind and have a hard time catching up. On average it takes three days to make up for one missed day.

Good attendance builds habits, essential for success in school and life. Habits developed early are likely to continue – good or bad.

Attendance indicates an engaged student; absences can signal disengagement.

Too many students missing too many days slow down classroom instruction and can negatively affect school climate. Teachers end up having to spend too much time on remediation and catch up.

In states where funding depends on enrollment, good attendance pays. For each day a child is absent, the school loses out on critical funding.

The campaign takes the unique challenges military children and families experience into consideration with its key messaging. While it is appropriate for families to reintegrate and for students to be out of school for a time, it is also critical to balance this with the educational needs of students. Extended periods of time away from school can set students back significantly and cause delays in ascension to the next grade and even graduation. Students of military families need to be in school, but in the situations when they are not, they should have a plan to catch up on educational material missed.

The goal around this campaign is to raise awareness and emphasize the importance of children from kindergarten through twelfth grade being in school on time, everyday, all day.

Chang, Hedy & Romero, Mariajose, *Present, Engaged & Accounted For: The Critical Importance of Addressing Chronic Absence in the* National Center for Children in Poverty: NY: NY, September 2008.

Attendance Works Tools For Attendance Presentations: <http://www.attendanceworks.org/>



## FROM MIC3 HEADQUARTERS STAFF

Summer 2011 has zipped past and another school year is upon us. Since the May issue of this newsletter the MIC3 Headquarters Staff has been kept hopping with changes, additions to the Commission, new materials and public relations efforts.

### EXCOM 2011

The 2011 EXCOM meeting was moved back a month to July due to scheduling conflicts. The meeting came off without a hitch and the committee got their first real look at the Galt House, home of the 2011 MIC3 Annual Meeting. Several possible rule changes were discussed. These were submitted to the rules committee for wording and formatting before posting for public comment. These proposed rule changes will be voted on at the MIC3 Annual Meeting in November.

### NEW STATES, COMMISSIONERS AND COUNCILS

Since the May newsletter, the Commission has added three additional states: Nebraska, North Dakota and Vermont. Hawaii also reaffirmed their commitment to the Interstate Compact. The staff is currently working with the new states and assisting them in the next steps of establishing the Interstate Compact.

The staff has also continued to work with member states to put in place new commissioners and establish their state councils. The summer has seen new commissioners in Arizona, Maine, Missouri, Tennessee, Utah, and West Virginia. We also have appointments pending in Florida, Indiana, New Mexico, and Vermont.

### LEADERSHIP AND ORIENTATION MANUAL

The Executive Committee approved the new MIC3 State Council and Commissioner Leadership and Orientation Manual. The manual will be updated annually and sent out to the commissioners for use in their states. It will also be used this November at the MIC3 Annual Meeting to train any new commissioners.

### PUBLIC RELATIONS

The staff has been very active on the public relations front during the summer. We have partnered with the USO to promote the Interstate compact at the Milwaukee Brewers' Military Appreciation Day. Locally we have worked with the Lexington Legends, minor league baseball affiliate for the Houston Astros.



The Military Interstate Children's Compact Commission (MIC3) also coordinated with the Junior League of Lexington and Horses for Heroes to promote American Heroes Night at Lexington Junior League Horse Show. The evening included The Bravehearts, a veteran's Horses for Heroes riding group from Illinois, who performed and presented our nation's colors. All veterans, active duty, National Guard and their families were able to attend the show for free.

We have been working with the Kentucky National Guard and Fort Knox on the Military Appreciation Day football games for Western Kentucky University (Sept. 10 v. Navy) and the University of Louisville (Nov. 12 v. Pitt).

We are also working with the American Forces Network, TV and radio, on public service announcement "hot spots." These will air globally to our active duty forces promoting the Interstate Compact and the website.

## LEGAL - CONT.

The purpose of the Compact is to establish a uniform means of assisting transitioning children of military families transferred from one state to another. Member states enter the Compact voluntarily upon enactment of the compact statute and have an equal say in any decisions made. Any rule promulgated by the compact commission must be agreed upon by a majority of member states, and a majority of the state legislatures may veto any proposed rule. Rules must remain within the specific authorizing framework of the Compact. Moreover, any member state may file a legal challenge to a rule to invalidate it. Any subsequent amendment to the compact itself must be agreed upon unanimously by the member states and unanimously approved by the state legislatures. Any member state is free to withdraw from the compact at any time upon repeal of the legislation by which it joined the compact.

The compact does not "divest" local school boards and school administrators of their authority. A closer examination of the text of the compact, as has been conducted by the 39 states which have enacted it and many of those states considering the legislation, will reveal that the compact provisions have been broadly drafted with the intent to avoid conflict with existing state education codes as far as possible. The compact language in the four (4) substantive areas in which uniformity is sought (enrollment, placement, eligibility, and graduation) does not seek to abrogate state control over education policy or procedure, but only to impose a duty of reasonable accommodation of the unique needs of children of military members in these four (4) areas.





## COMMISSIONERS: Getting to Know

### ARIZONA - John Huppenthal



During Superintendent of Public Instruction John Huppenthal's 26 years in public service, he has established himself as one of Arizona's leading education reformers. As a state legislator, he successfully authored and passed over 200 bills, more bills than any other legislator in state history. A substantial number of those bills focused on improving education. For each of his

18 years in the state legislature, Huppenthal either served on or chaired education committees.

Recently, in 2010, Huppenthal championed common course numbering legislation for Arizona's universities and colleges. He also passed an important school district accountability bill which will hold school district's performance more accountable with fair, easy-to-understand letter grades.

Since the mid-1990's Huppenthal has spent thousands of hours in schools observing best practices and personally implementing important education reforms and programs. His innovative accountability system which ties academic improvement and qualitative measures of excellence with performance pay has shown remarkable success in school districts that have adopted it.

An Arizona resident for over 55 years, Superintendent of Public Instruction Huppenthal was educated throughout Arizona's expansive school system: attending elementary and secondary school in Tucson, earning an engineering degree from NAU in Flagstaff and receiving his MBA from ASU in Tempe.

### DELAWARE - Susan Haberstroh



Dr. Susan K. Haberstroh is the Education Associate, Regulation Review and Legislative Liaison. Her primary responsibilities include acting as the liaison between the Department and the state's legislature, reviewing and updating the Department's regulations. Susan has been worked for the Department for over 9 years.

Because of her role with the state legislature she serves or attends various legislative task forces and committees.

As part of the Secretary's Leadership Team she has been closely involved in the policy decisions and implementation of several reform initiatives. Her position also requires a great deal of interaction with the Governor's office as well as the other state agencies. Susan also serves as the State Commissioner for the Interstate Compact on Education for Children of Military Families.

She recently attended the Executive Leadership Program, a partnership with the University of Virginia's Darden School of Business/Curry School of Education and the Wallace Foundation.

Susan received her B.A. from Saint Michael's College in Colchester, VT with a concentration in Political Science; Master's in Public Administration in 2002 and Doctor of Education Leadership in 2007 both from the University of Delaware.

Susan is a native Delawarean but spent many years in the private sector in the Boston area.

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## UPCOMING EVENTS

October 23, 2011	KY Natl. Guard Yellow Ribbon Event	Keeneland, Lexington, KY
November 12, 2011	Military Appreciation Day: Louisville v. Pitt	Papa Johns Stadium, Louisville
November 13-15, 2011	4th Annual Commission Meeting	Galt House, Louisville, KY



## RESOLVING EDUCATION TRANSITION ISSUES FOR MILITARY FAMILIES